

In re Patent Application of:

DOHRMANN

Serial No. **09/981,287**

Filed: **OCTOBER 18, 2001**

REMARKS

Claims 1-41 remain in this application. Claims 1-41 stand rejected.

The examiner rejected claims 1-21, 26-30 and 38-41 under 35 U.S.C. § 102 as anticipated by Slezak.

Claim 1 requires "a processor that generates audio and visual components of instructional information... according to a software algorithm containing at least one predetermined rule." Independent claims 13, 14, 19, 28, 29-31, 38 and 40 each contain similar limitations. Slezak does not disclose a processor with the claimed capabilities. Slezak does not disclose any software algorithm for performing the claimed function and Slezak discloses no rules by which the software algorithm controls the delivery of instructional information.

Accordingly, the rejected claims are not anticipated by Slezak.

Turning to independent claim 19, the claim requires "generating, in a processor, commands to control audio and visual instructional information from provided data according to the user input and at least one predetermined rule." As noted before, Slezak does not teach nor suggest such a limitation. Accordingly, claim 19 is not anticipated nor rendered obvious by Slezak.

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Independent claim 28 requires "generating in a processor commands to control audio and visual instructional information from provided data according to the user input and at least one predetermined rule."

Independent claim 29 requires "a server provided with a plurality of switches that select one or more data sources to provide audio and visual components to the output devices based on instructions from the processor according to the software algorithm containing at least one predetermined rule, whereupon order and sequence in which the data from each source to be applied is determined."

Independent claim 30 requires "generating in a processor commands to control audio and visual instructional information from provided data according to the user input and a software algorithm containing at least one predetermined rule."

Independent claim 38 requires that the "content of video components delivered to each screen is switched in accordance with a specific algorithm."

Independent claim 40 requires "at least one processor that generates audio and visual instructional information according to input from the at least one user and at least one predetermined rule;...at least one device server configure to receive an input from at least one user, to receive data from at least one source, transmit information

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associated with the data to the processor, and receive instructions from the processor according to at least one predetermined rule that transmits the generated instructional information to the plurality of output devices."

Although independent claims 1, 13, 14, 19, 28, 29, 30, 38 and 40 were each rejected as anticipated under U.S.C. § 102 by Slezak, the Examiner has failed to identify any disclosure in Slezak that corresponds to the respective limitations quoted above. Accordingly, the Examiner has failed to establish a prima facie case of anticipation of these independent claims.

The Examiner rejected claims 22-25 and 31-36 under 35 U.S.C. § 103 as unpatentable over Slezak in view of Konopka et al.

Claims 22-25 are dependent upon claim 19, directly or indirectly, and contain all of the limitations of claim 19.

The Examiner has not provided any arguments as to why the claimed features discussed in conjunction with claim 19 would have been obvious. Claims 22-25 are not obvious because they contain the limitations of claim 19 as discussed above and because the Examiner has not carried his burden of proof of showing a rationale for any modifications to what Slezak discloses.

Independent claim 31 requires "a graphical user interface communicating user input to and from a system

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including a processor, data source devices, device servers and output devices in response to instructions according to a software program containing a predetermined set of rules...."

Neither Slezak nor Konopka et al. disclose such a graphical user interface, let alone one with the properties claimed in the remaining limitations.

Independent claim 33 is directed to a method for generating such a graphical user interface similar to that claimed in claim 31. Neither Slezak nor Konopka et al. disclose a graphical user interface let alone one with the limitations claimed. With respect to claims 33-36, the applied references do not show a method for generating such a graphical user interface. Accordingly, the Examiner has failed to establish a prima facie case of obviousness with respect to these claims and has further not provided a rationale for combining the references.

For the reasons indicated with respect to each of the rejections above, the applicant respectfully requests that the Examiner reconsider the rejections and withdraw them.

Accordingly, applicant respectfully request that the Examiner withdraw the rejections and permit the application to issue as a patent.

Should any minor informalities need to be addressed, the Examiner is encouraged to contact the undersigned attorney at the telephone number listed below.

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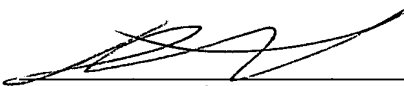
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Respectfully submitted,



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I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: DIRECTOR, U.S. PATENT AND TRADEMARK OFFICE, ALEXANDRIA, VA 22313, on this 13 day of July, 2004.

Glenn Ferguson
